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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE-OPELOUSAS DIVISION

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ROBERT H. SHEMWELL, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

GREGORY DAMM

CIVIL ACTION NO. 04-2078

VS.

SECTION P

WARDEN LYNN COOPER

JUDGE DOHERTY

MAGISTRATE JUDGE HILL

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the Report and Recommendation is correct under the applicable law;

IT IS ORDERED that this application for writ of *habeas corpus* be and it is **DENIED AND DISMISSED WITH PREJUDICE** pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts since it plainly appears from the face of the petition and exhibits annexed to it that the petitioner is not entitled to relief.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 7 day of Sept, 2005.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE